

Board Members

Gary D. Lovejoy, Ph.D.
Chairman
Fred Wiggins, Ph.D.
Vice-Chairman
Ramona N. Mellott, Ph.D.
Secretary
Melissa Del-Colle
Joseph C. Donaldson
Megan Hunter-Williams
Cheryl L. Karp, Ph.D.
Miki Paul, Ph.D.
Frederick S. Wechsler, Psy.D. ABPP



State of Arizona Board of Psychologist Examiners

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Staff

Sonja M. Bolf
Executive Director
Meghan B. Hinckley
Deputy Director
Victoria Kamm, CI
Investigator
Steven M. Schroder
Administrative
Assistant

REGULAR SESSION MINUTES

Friday, February 8, 2008

1400 West Washington
Basement Conference Room, #B-1
Phoenix, AZ 85007

1. CALL TO ORDER

The regular session of the Arizona State Board of Psychologist Examiners was called to order by Chairman Lovejoy at 8:30 a.m. on Friday, February 8, 2008. Two Executive Sessions were held at 12:00pm and 12:50 p.m.

2. ROLL CALL

Board Members Present

Gary D. Lovejoy, Ph.D. - Chairman
Ramona N. Mellott, Ph.D. - Secretary
Joseph C. Donaldson
Miki Paul, Ph.D.
Cheryl L. Karp, Ph.D. – via telephone
Frederick S. Wechsler, Psy.D. ABPP

Board Members Absent

Megan Hunter-Williams
Melissa Del-Colle
Fred Wiggins, Ph.D.

Staff Present

Sonja M. Bolf, Executive Director
Meghan B. Hinckley, Deputy Director
Victoria Kamm, CI - Investigator
Steven Schroder, Administrative Assistant

Attorney General's Office

Dawn Lee, Esq.
Assistant Attorney General
Emma Mamaluy, Esq.
Assistant Attorney General

3. REMARKS/ANNOUNCEMENTS

- **Presentation of Plaque to Dr. Paul** - Chairman Lovejoy thanked and presented a plaque to Dr. Paul for her dedicated year of service to the board as Board Chairman for 2007.
- **Introduction of New Board Member, Frederick S. Wechsler, Psy.D., ABPP** - Chairman Lovejoy introduced Dr. Frederick S. Wechsler, the University Psychologist member of the Board. Chairman Lovejoy gave a brief overview of Dr. Wechsler's achievements and welcomed him aboard. Chairman Lovejoy noted that the board is very grateful to have such an accomplished academic join our board.
- **Board Member and Staff Appreciation** - Chairman Lovejoy thanked staff for all their dedication and hard work. Chairman Lovejoy also thanked the Board members for all of their

hard work on the various Committees including the Complaint Screening Committee and the Applications Review Committee.

- **Board Assessment Forms** - Chairman Lovejoy announced to members of the public audience that the board appreciates feedback regarding their meetings and that every evaluation is read. Chairman Lovejoy encouraged members of the audience to complete a Board Meeting Assessment Survey and place them in the box outside the board room.
- **CE Documentation** - Chairman Lovejoy announced that licensees could receive CE credits in Ethics for their attendance at board meetings. Chairman Lovejoy explained that in order to obtain credit one must register on the CE roster, complete the 3 page CE record form, have the first page signed and stamped with the validation stamp, keep the first page, and submit the remaining pages to Ms. Kamm or Ms. Hinckley. It was noted that Ms. Kamm and Ms. Hinckley are the only two staff that can stamp the CE validation form. Licensees are eligible to receive 2 credits for attending the morning session, and 4 credits for all day attendance.

4. APPROVAL OF MINUTES

- **Regular Session – December 7, 2007** – Dr. Paul noted that on page 4, paragraph 2, to remove the word “package” and insert “a packet,” on page 5, first paragraph, change the word “the” in the last sentence to “they,” and on page 7, #18, add a space between “REGARDING” and “LENA.” A motion was made by Mr. Donaldson, seconded by Dr. Paul, and carried (4-0-2), with Dr. Wechsler and Dr. Mellott abstaining from the vote, to approve the December 7, 2007 Regular Session minutes as amended.
- **Executive Session – December 7, 2007** – Dr. Mellott noted that on page 1, under “Board Members Present,” her name needed to be removed, as she was not in attendance. Mr. Donaldson made a motion, seconded by Dr. Paul, and carried (4-0-2), with Dr. Wechsler and Dr. Mellott abstaining from the vote, to approve the December 7, 2007 Executive Session minutes.
- **Regular Session Conference Call – January 11, 2008** – Mr. Donaldson made a motion, seconded by Dr. Mellott, and carried (5-0-1), with Dr. Wechsler abstaining from the vote, to approve the January 11, 2008 Regular Session Conference Call minutes.

5. CALL TO THE PUBLIC

Chairman Lovejoy gave the public the opportunity to address the board at this time. Dr. Faren Akins, the Arizona Psychological Association's (AzPA) liaison to the board, thanked Dr. Paul for her dedicated year of service to the board and the public as the 2007 Chairman and welcomed Dr. Lovejoy as Chairman. Dr. Akins also welcomed Dr. Wechsler and expressed that he was a valuable addition and a wealth of knowledge, information, and experience to the Board.

Dr. Akins announced that AzPA would be holding a conference titled “The Politics of Psychology” on February 21, 2008 from 9:00 a.m. to 2:00 p.m. This conference will be held at the State Capital wherein the Psychologist community has the opportunity to “meet and greet” the legislators involved with our board and legislative process.

6. DISCUSSION, REVIEW AND POSSIBLE ACTION REGARDING THE RECISSION OF THE BOARD VOTE FOR A NON-DISCIPLINARY ORDER.

a) John Kent, Ph.D. – No. 06-34

Dr. Kent was present and brought representation, Attorney, Mr. Marton who requested to speak on behalf of the licensee. Ms. Bolf summarized that at the December 7, 2007 meeting, the board voted to offer Dr. Kent a Non-Disciplinary Consent Agreement for continued monitoring. Ms. Lee, Assistant Attorney General for the Board, reviewed the Consent Agreement that was offered to Dr. Kent and determined that it was in direct contradiction with the A.R.S. § 32-2071(G). She stated that the board's original Consent Agreement and Order needed to be revised to fit the statute cited or the board needed to rescind the initial agreement. At 12:00 p.m., a motion was

made by Dr. Paul, seconded by Mr. Donaldson, and carried by a (6-0) vote to move to Executive Session for the purpose of obtaining legal advice.

At 12:06 p.m., the Board returned to Open Session to further discuss the case. After discussion, it was moved by Dr. Paul, and seconded by Dr. Wechsler, and carried (6-0), to rescind the original Non-Disciplinary Consent Agreement for continued monitoring offered to Dr. Kent at the December 7, 2007 board meeting.

b) John Kent, Ph.D. – Case No. 06-34

Attorney, Mr. Marton requested to speak and asked the board to reinstate Dr. Kent's license with no restrictions. He stated that Dr. Kent has complied with all of the terms of the original Consent Agreement of April 2006 and feels that Dr. Kent has been rehabilitated and can safely resume practice.

Dr. Kent requested to speak and expressed that he is facing financial hardship due to the inability to obtain a job in his field. He further requested that the board comply with the following:

a) Fully restore his license without any restrictions;

b) Delete all knowledge of disciplinary actions from the board website, National Practitioner Data Bank, ASPPB, and any other known reporting agency;

Dr. Kent noted that there were five complaints initially filed against him with this board out of malice from his co-workers. In return, he filed three complaints against those professionals; however, the Board dismissed those cases.

Ms. Bolf and Ms. Lee directed board members to review the revised Consent Agreement in the board books. Dr. Lovejoy suggested that the Consent Agreement reflect that the psychiatric and psychological monitoring of Dr. Kent take place "be tolled during the 12 months while practicing psychology." A motion was made by Dr. Paul and seconded by Dr. Wechsler, to accept the Consent Agreement to include Dr. Lovejoy's amendment.

At 12:50 p.m. Mr. Donaldson made a motion, seconded by Dr. Paul, and carried unanimously (6-0) to move into Executive Session for the purposes of obtaining legal advice.

At 1:05 p.m., the Board moved into Open Session.

After discussion, Dr. Lovejoy requested Dr. Paul amend her original motion to add the language "Non-Disciplinary" to the title of the Consent Agreement. He further stated that while the mission of the board is to protect the public, it is his opinion that since the Board anticipates implementing a Non-Disciplinary Monitoring Program and a future rule change, the Board is willing to take a risk and offer Dr. Kent a Non-Disciplinary Consent Agreement at this time. Dr. Paul declined to amend her original motion.

Dr. Lovejoy asked Dr. Wechsler if he wished to sustain his second to Dr. Paul's original motion or withdraw. Dr. Wechsler withdrew his second.

Dr. Mellott then seconded Dr. Paul's original motion.

Discussion followed regarding the board establishing a Monitored Aftercare Program (MAP) for licensees based upon A.R.S. § 32-2086. Ms. Lee noted that this issue could be agendaized at a future Board meeting to allow time for the board to develop such a program and that it could be offered to the licensee at a future date.

Dr. Mellott withdrew her second, and Dr. Paul withdrew her original motion to offer the licensee the Consent Agreement.

A motion was made by Mr. Donaldson, seconded by Dr. Wechsler, and carried unanimously (6-0) to table this agenda item until the next Board meeting in April or sooner if established.

7. DISCUSSION/DECISION REGARDING CURRENT AND FUTURE PROPOSED STATUTE AND RULE REVISION RELATED TO FEES – Chairman Lovejoy

A.R.S. § 32-2067 – Ms. Bolf

Ms. Bolf presented an overview of A.R.S. § 32-2067 and the Board's fee schedule. Ms. Bolf explained that with recent unforeseen expenditures in the 2008 Fiscal Year Budget, it would be in the board's best interest to consider increasing the fee "ceiling" in order to compensate for such future costs. Ms. Bolf noted that while a fee increase would not immediately help the FY 2008 Budget, it takes 2-3 years to change the rule and statute to create a new "fee ceiling" for the Board to implement. Ms. Bolf presented the Board with fees from other state boards including the Medical Examiners Board and the Osteopathic Examiners Board. Board members directed Ms. Bolf to contact ASPPB and research comparable states fees as compared to our current fee schedule. This matter will be further discussed at the Legislative Meeting on March 11, 2008.

8. SUPERVISION STUDY COMMITTEE

1) Survey Results – Ms. Hinckley

Ms. Hinckley addressed the board with the results of the professional community's reaction and responses to the Supervision Study Committee's (SSC) recommendations for 2007. Ms. Hinckley reported that approximately 1600 emails were sent that contained the SSC and the Board received 64 responses. Of the responses, 27 were in total agreement with the entirety of the SSCR. The most controversial of the SSC's recommendations was the cancellation of post-doctoral hours and 15 responses strongly disagreed with the recommendation. All responses will be compounded into a report and given to the Legislative Committee for review and feedback.

2) Presentation – Dr. Morris, Meyerson Distinguished Professor, University of Arizona, Director of School Psychology Ph.D. Program

Dr. Morris addressed the board expressing his concern with the SSC on changing the post-doctoral supervision requirements. Dr. Morris expressed that the Universities that offer students the Education Psychology Programs would be at a great disadvantage to the extent that most students would not be able to apply for licensure in Arizona due to a lack of completion of their internship/post-doctoral hours. Dr. Morris noted that the American Psychological Association (APA) Model License Act, which includes the 1500 pre-doctorate and 1500 post-doctoral hours, would be the Universities recommendation to follow when implementing student experience. Dr. Morris also recommended that the Board define what their definition of "practicum" is in accordance with the Association of Psychology Post-Doctoral Internship Centers (APPIC) definition. Dr. Morris noted that the APA does not define practicum.

Dr. Paul asked Dr. Morris how long it would take the university to modify their program in order to comply with any rule or statute changes made by the board. Dr. Morris replied that the year 2014 would be the earliest that changes could be implemented. It takes approximately 7 years to change an entire University program.

Dr. Schindler, a representative from the SSC, asked Dr. Lovejoy if he could comment on Dr. Morris' presentation to the Board. Dr. Lovejoy invited Dr. Schindler to speak on behalf of the SSC. Dr. Schindler stated that the SSC was greatly concerned with the barriers in our state that prevent psychologists from becoming licensed. The SSC wanted to eliminate the post-doctoral hours in order to define the threshold of *minimum* hours necessary to become licensed.

After further discussion, Dr. Paul directed Board staff to contact the Association of State and Provincial Psychology Boards (ASPPB) and ask the Model Licensing Act Committee regarding their definition of "practicum."

9. FORSENSIC PSYCHOLOGISTS

1) Presentation – Dr. Akins, Forensic Psychologist

Dr. Akins addressed the board regarding increase and frequency of frivolous complaints filed against forensic psychologists. Dr. Akins expressed that it was very time intensive and expensive to have a frivolous complaint filed against you, especially when the majority of the complainants hold no merit and are dismissed by the board due to insufficient evidence of any wrong doing. Dr. Akins suggested that the board support the development of a grievance contract that contains language stating that if the complainant filed a complaint out of malice and it was found to be frivolous, the complainant would be responsible for bearing the costs of the forensic psychologist's time and legal fees.

After discussion, the Board directed staff to gather more information regarding how other states dealt with frivolous complaints involving forensic psychologists.

10. EXECUTIVE DIRECTOR'S REPORT

- **Financial** – Ms. Bolf reported that as of the end of December 2007, six months into fiscal year 2008, the Board has expended 50% of our appropriation of \$389,800. The Budget, at this time is solvent; however there is a limited margin for any upgrades, expansions, increases to contracts or salaries. This Board is on a two year budget cycle which was appropriated until the end of FY 2009. The request for the next two year cycle will need to be submitted by September 2008. At that time, the board needs to contemplate any future expansions, upgrades or changes, such as the On-line Renewal Process. The Budget of this board remains stable and on a track for the remainder of Fiscal Year 2008. Ms. Bolf reported that due to an unforeseen increase in rent, as well as the increased number of board members residing outside of the Metropolitan Phoenix Area, a request for an appropriations adjustment for next FY 2009 was submitted in late 2007 at the January 30, 2008 JLBC-Budget Hearing. There were no questions for our board from either the House or the Senate at the Hearings. The request for an additional \$13,500 will be heard and hopefully approved by the Legislature at their upcoming session.
- **Legislative Update** – Ms. Bolf stated that, at this time, there are no legislative issues affecting our board. The Governor is addressing the possibility of combining many of the small 90/10 Boards into one large “licensing agency.” At this time, the Board of Psychologist Examiners is NOT being considered for this possibility. Ms. Bolf noted that she will continue to monitor any activity that may affect our board.
- **Update of Website** – Ms. Bolf reported that since the last board meeting, staff has added the “**PRACTICE ALERT**” Section, which will be continually updated to inform the professionals and the public of any changes related to Rules, Statutes, Upcoming Legislation, or any item affecting the Professional Organizations. Also, “**AN EVIDENCE OF U.S. CITIZENSHIP, U.S NATIONAL STATUS, OR ALIEN STATUS**” has been added to the Application forms on the Board website. This form is now required to be completed by all professionals obtaining or maintaining licensure in the Arizona. The form was forwarded by Monte Lee of the Attorney Generals Office to now be included in licensing and renewal packets. This could be an issue brought before the Legislature as it states that every time a Professional “Renews” their license, they **MUST** complete and submit a hard copy of this form with proof of citizenship to the licensing board. This poses a significant problem to many boards who are streamlining their licensing and renewal processes on-line.
- **Newsletter Update** – Ms. Bolf reported that June 2006 was the last edition of the board's Newsletter. Board staff is going to begin work on The Examiner with the expected release date of June 2008. Board staff would like to publish the Newsletter with more frequency, if possible, in order to keep the public and professionals updated within the Community of

Psychologists. At this time board staff is asking the board members to submit any suggestions for the newsletter and any pertinent articles to the Board staff via email.

- **On-Line Renewals Update** – Ms. Bolf reported that she had conferred with the Optometry Board and the Massage Therapy Board who implemented an on-line renewal and licensing process. Ms. Bolf stated that the start up cost for the Optometry Board was \$19,000 with an additional charge of \$17.00 to each applicant that renewed on-line. They have approximately 960 licensees. In recent years, the Optometry Board has also implemented the Application Fees and Public Information Request Fees on-line. Ms. Bolf reported that the Optometry Board was happy with their program even though they incurred some problems. In order for our Board to be able to implement an on-line process there will need to be a statute change indicating that the executive director may enter into agreements to allow licensees to pay fees by alternative methods, including credit cards, charge cards, debit cards and electronic funds transfers. The Massage Therapy Board was in the process of developing the On-Line Renewal until the Attorney Generals Office released the US Citizenship Form which had to be included with EACH renewal submission from every licensee. The Massage Therapy Board put the process on hold until a future date. Ms. Bolf spoke to Terri Geron, Business Analyst, ISD, for the Department of Administration regarding the development, process and cost of implementing the On-line Renewal System. She quoted the Board that the cost would be approximately \$10,000 for set-up and depending on if any adjustments needed to be made to our database.
- **Introduction of New Staff Members** – Ms. Bolf introduced two new staff members; Ms. Victoria Kamm, the new Investigator, and Mr. Steven Schroder, the new Administrative Assistant. Both staff members bring with them considerable experience.

11. LICENSING REPORT

- **New Licenses Issued** – Ms. Hinckley reported that the Board had licensed the following 12 psychologists since the December 7, 2007 meeting:

3938	Gregory Waugh, Psy.D.
3939	Camille Hernandez, Psy.D.
3940	Anita Bohensky, Ph.D.
3941	Debra Davis-Johnson, Ph.D.
3942	Christine Johnston, Psy.D.
3943	Magda Trujillo, Psy.D.
3944	Shona Shewmaker, Ph.D.
3945	Roy Grando, Ph.D.
3946	Shafali Gandhi, Psy.D.
3947	Nicole Roberts, Ph.D.
3948	Nicole Huggins, Psy.D.
3949	Amy Scott, Ph.D.

Ms. Hinckley reported that the Board had licensed 97 psychologists in all for the 2007 Calendar year, which compared to 90 licenses issued in calendar year 2006.

- **EPPP Results** – Ms. Hinckley next reported that page 3 of the agenda lists the 10 applicants who passed the EPPP from December 2007 – February 2008, with no exam failures for that time period!
- **New Applications** – Finally, Ms. Hinckley reported that the Board has received 16 new applications since the last Board meeting, which made a total of 16 total applications received this 2008 calendar year; that compared to 15 applications received by this time last year.

12. INVESTIGATIONS REPORT

- **New Cases Received** – Ms. Kamm reported that since the January 2, 2008 board meeting, the Board has received no new complaints, which totals 0 complaints received for the 2008 calendar year.
- **Cases Resolved** – Ms. Kamm reported that, for the calendar year, three (3) cases have been resolved, 0 cases have been referred to the full board, and three (3) cases are currently under investigation.

13. COUNSEL REPORT – Dawn Lee, Asst. Atty. General
Ms. Lee stated that she had nothing to report involving the Board at this time.

14. SELECTION OF DELEGATE TO ATTEND THE ASPPB MEETING ON APRIL 10-13, 2008 IN VANCOUVER, CANADA – Chairman Lovejoy/Ms. Bolf

Dr. Lovejoy noted that it was tradition for the Board to send any new board members and new staff to the ASPPB meetings. Ms. Bolf reported to the Board that it would cost approximately \$1600.00 per person for the board to send 2 representatives to the meeting. Dr. Lovejoy nominated Dr. Wechsler and Ms. Bolf to attend the ASPPB Conference in April 10-13, 2008 in Vancouver, Canada pending there would be enough money within the budget to do so. Both Dr. Wechsler and Ms. Bolf accepted the offer to attend the meeting.

15. DISCUSSION/DECISION REGARDING APPLICATIONS – Dr. Paul

- **REQUESTING EXAMINATION**
Dr. Paul made a motion, seconded by Dr. Karp, and unanimously carried (6-0), that **Richard Jennen, Psy.D.**, having obtained a doctoral degree in psychology as required under A.R.S. § 32-2071, be approved to sit for the Examination for Professional Practice in Psychology (EPPP).
- **REQUESTING EXAMINATION & LICENSURE**
Dr. Paul next made a motion, seconded by Dr. Karp, and unanimously carried (6-0), that the following applicants, having met the requirements of A.R.S. § 32-2071 and A.A.C. R4-26-203, be approved to sit for the EPPP and for licensure upon receipt of a passing score on the examination, and payment of the pro-rated original license fee:
 - **Allison Berger, Psy.D.**
 - **Shannon McGovern, Ph.D.**
 - **Barbara Meehan-Rose, Ph.D.**
 - **Derya Suzen, Ph.D.**
- **REQUESTS FOR LICENSURE BY WAIVER OF EXAM**
A motion was then made by Dr. Paul, seconded by Dr. Karp, and unanimously carried (6-0), that the following applicants, having met the requirements of A.R.S. § 32-2071.01(A), be approved for licensure upon payment of the pro-rated original license fee:
 - **Ethan Abercrombie, Ph.D.**
 - **Mary Palmquist, Ph.D.**
- **REQUESTING LICENSURE FOLLOWING COMPLETION OF POST-DOC**
A motion was then made by Dr. Paul, seconded by Dr. Karp, and unanimously carried (5-0-1), that **Karen Mansfield-Blair, Ph.D.**, having met the requirements of A.R.S. § 32-2071.01(A), having passed the EPPP with a score of 70% or better and completed his post-doctoral hours, be approved for licensure upon payment of the pro-rated original license fee.

16. DISCUSSION/DISCUSSION – RATIFICATION OF REACTIVATION OF LICENSES

- **Sandra Harris, Ph.D., #3721** – Ms. Hinckley presented this agenda item. Dr. Harris submitted a request to the Board to reactivate her license. Upon review of the materials documentation submitted, it appears that Dr. Harris had completed all CE required to reactivate her license. Dr. Paul made the motion, seconded by Dr. Karp, to ratify reactivation of Dr. Harris license. The motion carried unanimously (6-0).
- **Dorothy Preston, Ph.D., #1638** – Ms. Hinckley presented this agenda item. Dr. Preston submitted a request to the Board to reactivate her license. Upon review of the materials documentation submitted, it appears that Dr. Preston had completed all CE required to reactivate her license. Mr. Donaldson made the motion, seconded by Dr. Mellott, to ratify reactivation of Dr. Preston's license. The motion carried unanimously (6-0).

17. NEW BUSINESS/AGENDA ITEMS FOR FUTURE MEETINGS

- **Monitored Aftercare Program (MAP)** – Ms. Kamm
- **Newsletter articles** – Ms. Hinckley
- **ASPPB definition of “practica”**

18. ADJOURNMENT

There being no further business to come before the Board, a motion was made by Dr. Paul, seconded by Dr. Wechsler, and unanimously carried (6-0), to adjourn the meeting at 1:30 p.m.

Prepared by:

Respectfully submitted,

Meghan B. Hinckley
Deputy Director

Ramona Mellott, Ph.D.
Secretary